BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE K.JOHN MATHEW
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE T.V.RAMAKRISHNAN
(RETD.JUDGE, HIGH COURT OF KERALA)

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 21809 of 2006(U)
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EP.35/2003 of FAMILY COURT,ERNAKULAM
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PETITIONER:
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K.K. MOHAMMED ALI, S/O.K.A. KASIM,
KANNAMCHAKKASSERY HOUSE, NOW RESIDING AT VEDIMARA,
MANNAM P.O., PARUR TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.M.B.PRAJITH

RESPONDENT:
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A.A. SUBAIDA, D/O. A.A. ABU,
ARACKAL HOUSE, KHANNA NAGAR P.O., KORATTY VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE E.P.NO.1 OF 1997 BEFORE THE FAMILY COURT, THRISSUR.

EXT.P2: COPY OF THE DEPOSITION OF THE RESPONDENT HEREIN BEFORE THE FAMILY COURT, THRISSUR.

EXT.P3: COPY OF THE DEPOSITION OF THE PETITIONER HEREIN BEFORE THE FAMILY COURT, THRISSUR.

EXT.P4: COPY OF THE ANOTHER EXECUTION PETITION BEFORE THE FAMILY COURT, ERNAKULAM AS E.P.35 OF 2003.

EXT.P5: COPY OF THE BALANCE STATEMENT FILED BY THE COUNSEL OF THE RESPONDENT BEFORE THE FAMILY COURT, ERNAKULAM.

EXT.P6: COPY OF THE PROCEEDINGS ON 22.7.2006 IN E.P.NO.35 OF 2003 OF THE FAMILY COURT, ERNAKULAM.

RESPONDENT'S EXHIBITS:

EXT.R1(A): COPY OF THE DOCUMENT NO:691/2000 OF THE SUB REGISTRY OFFICE, PARAVUR.

EXT.R1(B): COPY OF THE TELEPHONE BILL NO.65937345 DATED 7.2.2004 ISSUED BY THE BSNL, ERNAKULAM TELECOM DISTRICT OF THE LAND PHONE NO.2447090 TO THE PETITIONER HEREIN.

EXT.R1(C): COPY OF THE TELEPHONE BILL NO.71018619 DATED 7.4.2004 ISSUED BY THE BSNL, ERNAKULAM TELECOM DISTRICT OF THE LAND PHONE NO.2447090 TO THE PETITIONER.

EXT.R1(D): COPY OF THE TELEPHONE BILL NO.76050020 DATED 7.6.2004 ISSUED BY THE BSNL, ERNAKULAM TELECOM DISTRICT OF THE LAND PHONE NO.2447090 TO THE PETITIONER.

/TRUE COPY/

P.A. TO JUDGE

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**K.JOHN MATHEW (RETD. JUDGE) &**
**T.V.RAMAKRISHNAN (RETD. JUDGE)**

W.P.(C) No. 21809 OF 2006

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Dated this the 11th day of April, 2007

**A W A R D**

**K.JOHN MATHEW (Rtd. Judge)**

Parties have settled the present dispute as follows:

Petitioner has agreed to pay the balance amount in the decree in O.S. No.10 of 1995 of Family Court, Thrissur in monthly instalments of Rs.25,000/-(Rupees Twenty five thousand only). The first instalment being payable on or before 10th of May 2007 and the remaining instalments on or before the 10th of each succeeding month. Payment is to be made by depositing the amount in the Savings Bank A/c No.10342 in the name of A.A.Subaida, Ernakulam Branch of Bank of India, Shanmugham Road. In case any two consecutive instalments are defaulted the respondent will be entitled to realise the entire balance amount in accordance with law. After the last instalment is paid the parties will report the matter to the Family Court, Ernakulam for the

settlement of accounts and dispute if any regarding the amount will be adjudicated by the Family Court, and any additional amount will also be paid within the time allowed by the Family Court. In case of default the respondent will be entitled to recover such amount as per the orders of the Family Court. So long as this order is complied with E.P. No.35/2003 in O.S. No. 10 of 1995, Family Court, Thrissur pending in Family Court, Ernakulam will stand stayed. E.P. Will be closed after all payments are made.

Writ Petition (Civil) disposed of as settled.

K.JOHN MATHEW
(RETD. JUDGE)

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T.V.RAMAKRISHNAN
(RETD. JUDGE)

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